

# PUBLIC SAFETY REALIGNMENT ACT OF 2011

**los angeles county probation department**

## Special points of interest:

- Why are we letting prisoners out of State Prison?
- Will felons not have to serve parole?
- Why don't felons have to go to prison?
- Why are we doing this?
- What are the County's plans for implementation of AB109?

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## CHIEF PROBATION OFFICER DONALD H. BLEVINS

"It is a common misconception that the Public Safety Realignment Act of 2011 will let inmates out of prison" says LA County's Chief Probation Officer. "In fact, he says, "all inmates will serve out their entire sentence in prison." Also serving as the County top planning official for the Public Safety Realignment Plan, the Chief explains that inmates will not be allowed to transfer to county jails or be released early. We are emphasizing PUBLIC SAFETY in the current move to keep people who meet the criteria for being non-violent, non serious, non sex offenders from going to prison. There are important exceptions to this rule but starting October 1, 2011, local authorities will begin taking custody of this level of offender. Offenders convicted on any of the 59 exception will be required to serve out their entire sentences in state prison..

A significant change in the way we will do business is in the post release process. "I want to reiterate that the Act is limited to serving current non-violent, non-serious non-sex offender after they are released from state prison to be supervised at the local county level. This is the offender that my operation will be supervising." Blevins underscores that the Probation Department will not supervise 3rd strike, serious commitment offenders, individuals with a violent commitment or high risk sex-offenders.

Essentially this means that State Parole will continue to supervise current serious or violent felons, 3rd strike offenders, a high-risk sex offender and mentally disordered offenders. Finally, Chief Blevins reminds us that this historic legislation will close the revolving door of low-level inmates cycling in and out of

state prisons. It is the cornerstone of California's solution for reducing the number of inmates



in the state's 33 prisons to 137.5 percent design capacity by May 24, 2013, as ordered by the U.S. Supreme Court. ■

## COMMUNITY CORRECTIONS PARTNERSHIP (CCP)

AB109 is fashioned to meet the U.S. Supreme Court Order to reduce the prison population of the State's 33 prisons. Noteworthy is the fact that no inmates currently in state prison will be transferred to county jails or released early. The law, effective October 1, 2011 mandates that individuals sentenced to non-serious, non-violent or non-sex offenses will serve their sentences in county jails instead of state prison.

The local planning process established under Penal Code 1230 creates the Community Corrections Partnership (CCP) to produce an implementation plan for review and approval by a four-fifths vote of the County Board of Supervisors. Since June 2011, the Los Angeles County CCP and associated working groups have met continuously to develop an implementation plan specific to the needs of the County. The Los Angeles County CCP Plan is designed

to serve as a framework for the implementation of AB 109 public safety realignment. The Plan was approved by the CCP's Executive Committee on August 24, 2011 and will be reviewed by the County Board of Supervisors on August 30, 2011. The complete text of the AB109/117 Implementation Plan can be found on the Countywide Criminal Justice Coordination Committee website at [www.ccjcc.info](http://www.ccjcc.info). See related story "Los Angeles County CCP". ■



**Sheriff postrelease role aids the Probation Department with additional monitoring .**

## **REALIGNMENT BEGINS AS OF OCTOBER 1, 2011**



**NO state prison inmates will be transferred to county jails.**

### **CPPCA**

The California Probation, Parole and Correctional Association (CPPCA) is holding their 8th Annual Training Conference and Vendor Show on September 14-16, 2011 at the Sheraton Universal Hotel in Universal City. This year's theme, **THE UNIVERSE OF CORRECTIONS: The Next Generation** will focus on the legislative background and implementation of AB 109 Public Safety Realignment Act is in keeping with the sweeping changes that will come to the corrections field this year. The Vendor Show for the event promises to be exceedingly high tech and exciting.

The Governor and CDCR Secretary are expected and City of Los Angeles Councilman Tony Cardenas will deliver the Conference Keynote Address. A special presentation will be make this year to Orange County Senator Lou Correa

distinguishing him as the Legislator of the Year. Los Angeles County Probation Chief Donald Blevins will officiate at the statewide Conference.

The Conference will feature stellar training topics with a focus on AB 109 the Public Safety Realignment Act including legislative and judicial updates and programmatic models and research along with current analysis and trends in the probation, parole and corrections fields. This year's subject experts include the Honorable Donna Quigley Groman of the Los Angeles Superior Court, Managing Partner Karen Park of the Sacramento government relations and legislative advocacy firm of Warner & Park LLC. A full compliment of successful juvenile and adult program operations will be presented by top executives from all parts of the State.

Child advocacy also takes a priority on the training agenda featuring the Children's Rights Project and the National Drug Endangered Children Training and Advocacy Center training sessions.

For more information and registration materials contact or call Michelle Nesbitt at the CPPCA State Office, 1415 L Street, Suite 200 in Sacramento, CA 95814, telephone 916 448 5810 or by visiting the CPPCA website at: <http://www.cppca.org/>. ■



### **LOS ANGELES COUNTY CCP**

In April 2011, the California Legislature and Governor Brown passed sweeping public safety legislation (AB 109) that effectively shifted responsibility for certain populations of offenders from the state to the counties. AB 109 established that local Community Corrections Partnerships (CCPs) develop an implementation plan to be submitted to county boards of supervisors. Over the proceeding months, the Los Angeles CCP and associated working groups met continuously to develop a plan that addresses the major issues involved with implementation of AB 109 and public safety realignment. In August the Los Angeles County CCP Plan was approved by the Board of Supervisors. The CCP Plan is outlined in three sections: 1. Postrelease Community Supervision; 2. Revocation and 3. Jail Management. As the lead agency for Postrelease Community Supervision (PCS), the Probation Department has sole responsibility for determining eligibility, modifying risk levels, and determination for additional monitoring from law enforcement. The California Department of Corrections and Rehabilitation (CDCR) estimates that approximately 9,000 offenders will be released to the Los Angeles County PCS Program in the first year. By the end of the second year, between 14,000 and 15,000 individuals are expected to be under the PCS in Los Angeles County. These numbers will be augmented by the local non-violent, non-serious and non-sexual offender population that can no longer be sentenced to state prison if convicted of a felony. The CDCR statistics report that there are approximately 7,000 offenders will be eligible

for PCS in Los Angeles County annually. The CCP Report is the culmination of interagency and community workgroups that sets the framework for subsequent legislative issues and implementation actions that will need to be addressed as implementation proceeds. For this purposes the Board of Supervisors has put in place an oversight and review process by which they continue to analyze and evaluate operations in the months to come. The Countywide Criminal Justice Coordination Committee (CCJCC) will provide analysis, staffing and logistical support to coordinate CCP Plan implementation and will ensure the continued multi-agency, multi-jurisdictional collaboration needed to implement its provisions. CCJCC will convene the CCP meetings coordinating with stakeholders to develop and recommend appropriate modifications to the Plan as needed. In addition, the CCJCC will provide monthly reports on the status of AB 109/117 implementation. ■

### **more...**

**County of Los Angeles CCP Plan AB109/117 Implementation Plan**

**Countywide Criminal Justice Coordination Committee (CCJCC)**  
[http://www.ccjcc.info/  
ccjcc\\_home.asp](http://www.ccjcc.info/ccjcc_home.asp)

**County of Los Angeles Community Corrections Partnership (CCP) CCP Agendas**

**County of Los Angeles Probation Department**  
<http://probation.lacounty.gov/>

**County of Los Angeles Sheriff's Department**  
<http://www.lasdhq.org/>

**State of California Department of Corrections and Rehabilitation (CDCR)**  
<http://www.cdcr.ca.gov/>

## STATE PAROLE SUPERVISION

Beginning September 30, 2011 parolees who violate their terms of release will be mandated to serve their remaining revocation time in county jail only if it is 180 days or less.

The responsibility of parole revocations for inmates released to county supervision shall be with the local courts. The responsibility of parole revocations for inmates released to the Division of Adult Operations' supervision will continue under the Board of Parole Hearings until July 1, 2013 at which time the entire parole revocation process shall be a local court-based process. Only July 1, 2013, the local courts will become the sole parole authority. Contracting back to the state for offenders to complete a period of parole revocation is not an option.

Only life term offenders who paroled pursuant to PC Section 3000.1 can be returned to state prison.

Public Safety Realignment also allows parole revocation up to 180 days and authorizes flash incarceration at the local level for up to 10 days.

Life term inmates parole pursuant to PC Section 3000.1 e.g. murder, specific life-term sex offenses will be eligible for return back to state prison if parole is revoked for 30 days or more. ■

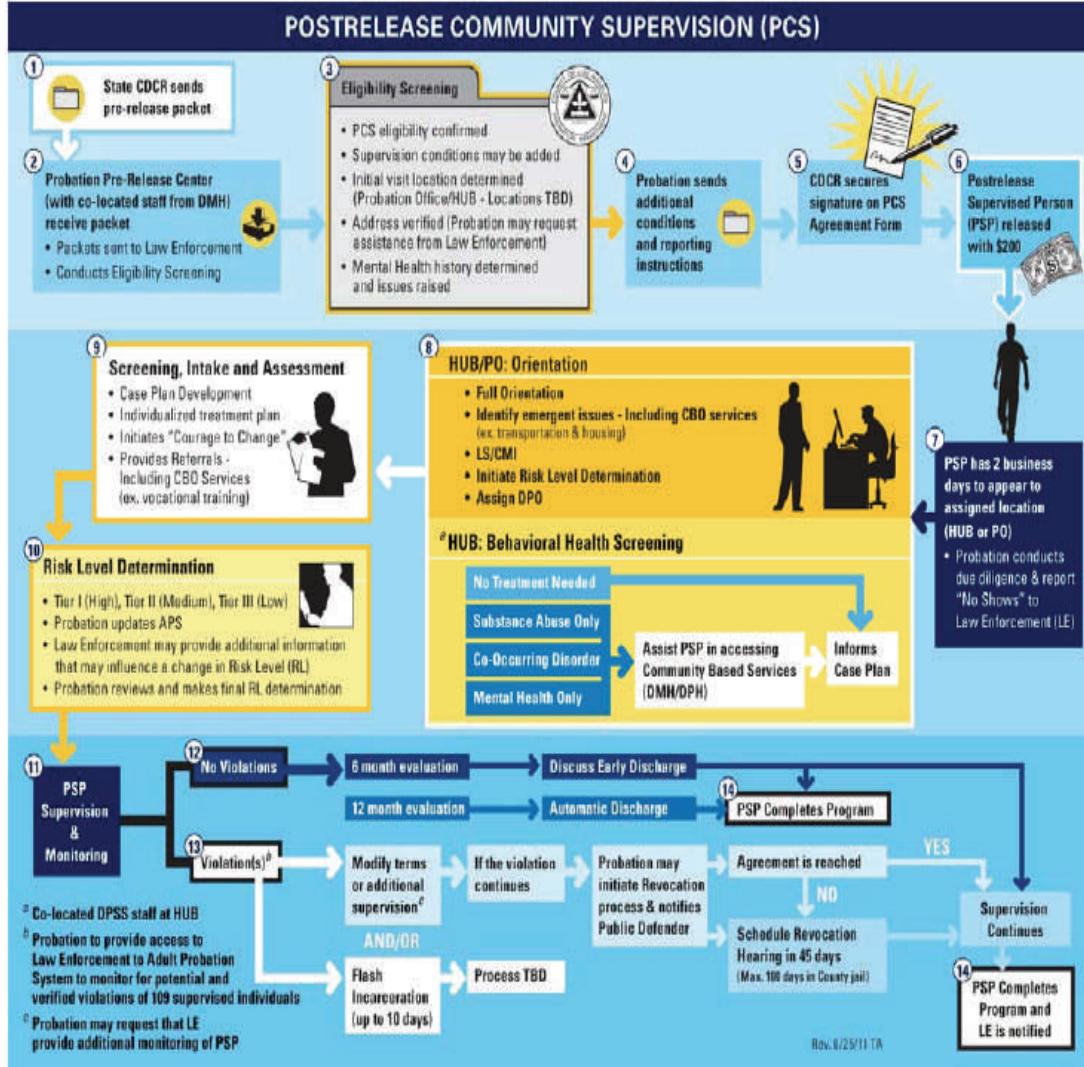
### Board of Parole Hearings

Effective July 1, 2013 hearings will be conducted for:

- Parole Consideration for Lifers
  - Medical Parole Hearings
- Mentally Disordered Offender Cases
- Sexually Violent Predator Cases



**The Division of Adult Parole Operations will continue to supervise the current parolee population.**



## DIVISION OF JUVENILE JUSTICE

AB109 limited the future juvenile court commitments to the Division of Juvenile Justice (DJJ). However, AB117 removes the provision. As such, there will be no changes to DJJ during the 2011 realignment.

**AB117 establishes the Chief Probation Officer as the Chairperson leading the CCP Plan process.**

## EXCLUSIONS TO AB 109

There are 59 crimes that fall under the exclusionary clause of the AB 109. Although they are categorized as being non-violent, non-serious, and non-sex offenses, nonetheless when convicted require that their complete sentences are served in State prisons.

PC22 Administering stupefying drugs to assist in commission of a felony  
 PC243.7 Battery against a juror  
 PC 243.9 Gassing of a peace officer or local detention facility employee  
 PC 266a Abduction or procurement by fraudulent inducement for prostitution  
 PC266e Purchasing a person for purposes of prostitution or placing a person for immoral purposes  
 PC266f Sale of a person for immoral purposes  
 PC266i Pimping and pimping a minor  
 PC266j Pandering and pandering with a minor  
 PC266j Procurement of a child under age 16 for lewd or lascivious acts  
 PC273a Felony child abuse likely to produce great bodily injury or death  
 PC273a&b Assault resulting in death of a child under age 8  
 PC273.5 Felony domestic violence  
 PC347 Poisoning or adulterating food, drink, medicine, pharmaceutical product, spring, well, reservoir, or public water supply  
 PC368b Felony physical abuse of an elder or dependent adult  
 PC417.8 Brandishing firearm or deadly weapon to avoid arrest  
 PC252 Unlawfully causing a fire that causes an inhabited structure or inhabited property to burn  
 PC646.9 Felony stalking  
 PC653f(b) Solicitation for murder  
 PC 12021/12021.1 Possession of a firearm by a prohibited person  
 PC 12303.2 Possession of an explosive or destructive device  
 PC 4532 Escape  
 HS11370.1 Possession of a controlled substance while armed with a firearm  
 VC2800.2 Evading peace officer by driving in a willful or wanton disregard for safety of persons or property  
 VC2800.3 Evading a peace officer causing death or serious bodily injury  
 VC20001 Hit and run driving causing death or injury  
 VC23153 Felony driving under the influence causing injury  
 PC186.11 Felony convictions with a Penal Code Section 186.11 enhancement  
 PC67 Bribing an Executive Officer  
 PC68 Executive or Ministerial Officer Accepting a Bribe  
 PC85 Bribing a Legislator  
 PC86 Legislator Accepting a Bribe  
 PC92/93 Judicial Bribery  
 PC 141 Peace Officer Intentionally Planting Evidence  
 PC165 Local Official Accepting a Bribe  
 PC424 Misappropriation of Public Funds  
 PC504/514 Embezzlement of Public Funds  
 GC1090/1097 Conflict of Interest by Public Officer or Employee  
 GC1195 Taking Subordinate Pay  
 GC1855 Destruction of Documents  
 EC18501 Public Official Who Aids and Abets Voter Fraud  
 PC245(d) Assault on a Peace Officer  
 PC272(b) Persuading, Luring, or Transporting a Minor Under 13  
 HS11353 Employment of Minor to Sell Controlled Substance  
 HS11354 Employment of Minor to Sell Controlled Substance  
 HS11380(a) Use of Minor to Transport/Possess/Possession for Sale  
 HS11361(a)(b) Employment of Minor to Sell Marijuana  
 PC417(c) Brandishing Firearm in Presence of Peace Officer  
 PC191.5(c) Vehicular Manslaughter While Intoxicated  
 HS120291 Knowingly Exposes Someone to HIV  
 PC298.2 Knowingly Facilitates the Collection of Wrongfully Attributed DNA Specimens  
 PC299.5 Wrongful Use of DNA Specimens  
 PC186.22 Criminal Gang Activity  
 PC186.26 Street Gang Activity  
 PC186.33 Gang Registration Violation  
 PC598c Possession or Importation of Horse Meat  
 PC598d Sale of Horse Meat  
 PC113 Manufacture/Distribution of False Documents for Citizenship Purposes  
 PC1142011 Use of False Documents for Citizenship Purposes

## Vendor Registration Online

### Valuable Information for Service Providers

Service providers in general and re-entry service sources in particular can register, re-register or change registration online at [http://doingbusiness.lacounty.gov/main\\_db.htm](http://doingbusiness.lacounty.gov/main_db.htm). The website provides vendors visibility on open solicitations by the County of Los Angeles and explains the steps and process required to bid successfully. ■

### INMATE POPULATIONS REDUCTIONS AS A RESULT REALIGNMENT UNDER AB 109

**Estimated Impact of AB 109: Number of Persons Not Sent to State Prison as New Admissions or Parole Violators with New Terms**

Month	New Admission	Los Angeles Parole Violator with		Total
		New Term	Total	
OCT2011	540	73	513	
NOV2011	428	87	515	
DEC2011	478	110	588	
JAN2012	427	125	552	
FEB2012	444	173	617	
MAR2012	434	164	598	
APR2012	546	207	753	
MAY2012	471	165	636	
JUN2012	509	178	587	
JUL2012	584	223	807	
AUG2012	520	218	738	
SEP2012	446	222	668	
OCT2012	531	251	782	
NOV2012	494	253	747	
DEC2012	438	212	650	
JAN2013	485	291	776	
FEB2013	477	208	585	
MAR2013	530	257	787	
APR2013	522	264	786	
MAY2013	501	237	738	
JUN2013	490	287	777	
JUL2013	513	239	752	
AUG2013	524	237	761	
SEP2013	507	247	754	
Average	496	205	701	



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